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and The Art Loss Register

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The *Duke of Alcantara* Stradivari, missing for 27 years, was recovered by the University of California last December.

University of California Recovers Stradivari Violin

Six Archipenkos Found in Miami

The Major Theft That Wasn't

IFARreports
incorporating *Stolen Art Alert*

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Missing Stradivari Recovered by the University of California

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Close-up of the Alcantara Stradivari, *recovered in December.*

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Detail of the scroll from the Alcantara Stradivari.

On December 1, 1995, the University of California recovered a Stradivari violin missing for 27 years. The violin, known as the "Duke of Alcantara," was named after an early owner, the Spanish aide-de-camp to Don Carlos. The Alcantara Stradivari later migrated to France and eventually to the United States. The violin was donated to the University in the early 1960s by Genevieve Vedder, but it mysteriously disappeared one night in August, 1967, after the rehearsal of the University's Feri Roth String Quartet. One of the quartet's members, who had been using the Stradivari, may have left the violin on the roof of his car before driving off or the violin was stolen later that night from his unattended car.

Antonio Stradivari made violins that represent the height of the art of violin making. The Alcantara Stradivari was made in Cremona, Italy in 1732, when Stradivari was 88 years of age. Although the master made approximately 1,200 violins, violas, and cellos, only 550 to 600 of his instruments are known today.

The missing Strad turned up in January, 1994 in the Petaluma, California shop of violin-making couple Joseph Grubaugh and Sigrum Seifert for repair and authentication. Grubaugh and Seifert, experts in authenticating violins, were able to identify the violin as the renowned "Duke of Alcantara." Grubaugh and Seifert also discovered that the violin was missing when they referred to the missing property registry operated by the American Federation of Violin and Bow Makers, which cooperates with IFAR in an effort to recover stolen, or otherwise missing, musical instruments of the violin family. Key to the University's ability to recover this invaluable violin was its entry on the missing property registry which directly led to its return.

When the University learned of the whereabouts of its missing violin, it promptly requested that the possessor, Teresa Salvato, return

it. Salvato, who had received the Alcantara Stradivari from her former husband in a divorce settlement, refused to return the violin, and the University, after informal attempts to recover the Stradivari, filed a suit to recover it from her. Salvato's former husband claimed to have received the violin as a gift from his aunt, who, according to testimony during the lawsuit, pulled the violin out from under her bed as she lay dying, and gave it to her nephew along with an amazing story of how she found the violin on the side of a freeway in Los Angeles.

Before filing a lawsuit, the University police attempted to recover the violin by contacting Salvato directly, but she refused to return the violin. In October, 1994, I was retained by the University as outside litigation counsel and filed a lawsuit on the University's behalf for, among other things, replevin to recover the Alcantara Stradivari. Salvato filed a cross-complaint against the University for abuse of process and negligent and intentional infliction of emotional distress arising from the University police's request that Salvato turn over the violin to the University,[1] and breach of implied contract of bailment. In late October, 1994, the University obtained an order requiring Salvato to deposit the Stradivari in a vault at the University pending a ruling on the merits of the title dispute. There the violin lay silent until December 1, 1995, when this dispute was finally resolved out of court. The University paid a modest $11,500 for the Alcantara Stradivari valued at $800,000 to $2,000,000.

The fight over title in the Alcantara Stradivari raised several legal issues, most of which relate to the struggle for title between good faith purchasers and theft victims. Answers to some of these issues were subsequently ruled upon by the California Court of Appeal on February 1, 1996 in *Naftzger v. The American Numismatic Society*, 96 Daily Journal D.A.R. 1140 (1996), discussed below.

A Thief Cannot Transfer Good Title

It will never be known whether the Alcantara Stradivari was stolen or lost. Therefore, it was necessary to argue in the trial court on both fronts. If the violin was considered stolen, the University proceeded with the proposition accepted in most jurisdictions throughout the United States that a thief can never transfer good title, even to an innocent purchaser. As the California Supreme Court stated long ago,

> The seller of ordinary property can transfer to the buyer no better title than he has himself, and that if such property has been lost by the true owner, or stolen from him, one who buys from the finder or from the thief, though he pays full value and buys in good faith, without notice, obtains no title as against the true owner. *Crocker Nat. Bank of San Francisco v. Byrne & McDonnell*, 178 Cal. 329, 332 (1918); *see also Inmi-Etti v. Aluisi*, 492 A.2d 917, 920, 922-23 (Md. App. 1985) ("At common law the maxim was: 'He who hath not cannot give....'").

Although it may seem harsh that a good faith purchaser may be forced to return stolen property to a theft victim (in some cases decades after the theft) a good faith purchaser may have a claim for indemnification against the party that sold him or her the stolen art because, in many instances, there is an implied warranty of good title that flows with the sale of such items.[2]

Finders Are Not Always Keepers

Although suits to recover "lost" art, antiques, or cultural property are less common than cases involving stolen art, these cases do arise and finders are not necessarily keepers. In California, as in many states, if one finds lost property, and takes possession of it, the finder has a duty to take reasonable steps to locate the true owner. This usually means reporting the discovery to the authorities. Title can actually be obtained by a finder if he or she follows certain legal requirements. However, when a finder merely keeps the property for his or her own use without ever attempting to locate the true owner, in California and other states, the finder may be guilty of the crime of theft. In the Alcantara Stradivari case, no evidence was presented to suggest that the deceased aunt, who allegedly found the violin by the side of the road, had ever taken appropriate steps to obtain title by complying with the lost property statutes. Therefore, the aunt's possession of the violin arguably constituted a theft under the California Penal Code.

A Theft Victim's Right to Recover May Be Time-Barred

The largest hurdle in the Alcantara Stradivari case, as in most suits to recover stolen or lost art, was proving that the University's claim was not barred by the statute of limitations (which is three years from accrual in California). Since the violin disappeared in 1967 and resurfaced in early 1994, one of the key legal issues was when the three-year statute started to run. The University argued that its claim to recover the violin did not accrue until the University discovered, or with the exercise of reasonable diligence should have discovered, the whereabouts of the Alcantara Stradivari, or Salvato's identity. Any other interpretation of the statute of limitations would deprive a blameless theft victim of a claim to recover his or her property when the theft victim had no way to determine whom to sue.

Two months after this case was resolved, the court in *Naftzger v. The American Numismatic Society* (see *IFARreports*, November 1995) held that a theft victim's claim to recover stolen art does not accrue until he or she "actually" discovers the identity of the missing property's possessor and that this discovery rule of accrual was implicit in the pre-1983 version of the statute of limitations that applies to the recovery of stolen personal property. The court also ruled that the diligence of a theft victim is not a component of the pre-1983 discovery rule (although the lack of such diligence will

undoubtedly be raised in a laches defense by the good faith purchaser).[3]

The court in *Naftzger* also ruled that the doctrine of adverse possession, historically applied to real property, is not applicable to effect a transfer of title in personalty in cases of stolen property. The Court pointed out that "the doctrine of adverse possession has never been applied in California to quiet title to stolen property, and we believe such a strange and undesirable result is contrary to public policy." The rationale of this holding is set forth in the unpublished portion of the case in which the Court of Appeal explained that application of this doctrine to stolen personal property is inappropriate because chattels can easily be moved or concealed. *Accord O'Keeffe v. Snyder*, 416 A.2d 862, 871-73 (N.J. 1980).

Until the recent ruling in *Naftzger*, no reported case existed in California on the issue of when a claim accrues for the recovery of art stolen before the 1983 amendment to the statute of limitations or whether a "discovery rule" would apply to delay accrual of such a claim.[4] The *Naftzger* opinion will be discussed in a forthcoming *IFARreports*. *Naftzger* makes California, along with New York, a jurisdiction that strongly favors theft victims, and whose law will be a powerful deterrent to traffic in stolen art, making sellers more cautious and prompting buyers to make inquiries prior to purchase.

With one exception,[5] every court to have considered the issue of application of a discovery rule to delay accrual of a claim to recover stolen art work has held that, at a minimum, the claim does not accrue until the theft victim discovers, or reasonably should have discovered, the whereabouts of the missing artwork, or the identity of its possessor.[6]

The Importance of Diligence on the Part of the Theft Victim

Although the law varies depending on the jurisdiction in which a claim for replevin of stolen property is filed, the theft victim's diligence in seeking to recover his or her stolen artwork or antique may be key to the success of a claim to recover such property discovered in the hands of a good faith purchaser years later. In the Alcantara Stradivari case, the University sent out letters to violin dealers all over the United States and in seven foreign countries, reported the incident to the police, and placed advertisements in the local newspaper. Although no international registry existed at the time that the violin disappeared in 1967, once such a registry was set up, the loss was listed there. It was this listing that directly resulted in the recovery of the Alcantara Stradivari. Therefore, a victim of art theft, or one who loses such property, should promptly set in motion all steps that could put good faith purchasers on notice that the property is missing. This includes notice to the authorities, to registries, such as the Art Loss Register at IFAR, as well as letters to appropriate dealers and auction houses, and notice in appropriate newspapers or publications. All of these steps will give a theft victim a strong argument that he or she has done all that is possible to notify the world of his or her loss. The absence of these steps will give a good faith purchaser a leg up on the theft victim in a subsequent court battle for title.

Carla Shapreau

Carla Shapreau is a California attorney who specializes in the area of art law ad intellectual property litigation. She represented the University of California in the lawsuit that resulted in the recovery of the Duke of Alcantara Stradivari violin as well as several California museums and IFAR as amici in *Naftzger v. The American Numismatic Society* and *The Society of California Pioneers v. Baker*

Notes

Note 1. The scope of appropriate action on the part of authorities to assist a theft victim in his or her recovery of stolen art or antiques from a good faith purchaser is a topic fertile for debate. In the *Erisoty v. Rizik* case, discussed in *IFARreports*, August/September 1995, the FBI insisted that the purchaser at auction turn over the contested painting before any legal determination had been made by a court as to title. It would appear that a good faith purchaser with a colorable claim to title in stolen art has a right of possession until a court rules that title resides in the theft victim. Of course, when a good faith purchaser learns that he or she is in possession of stolen art and fails to contact the authorities or the true owner, he or she may be guilty of concealing stolen property, a crime in many jurisdictions including California. In the Alcantara Stradivari case, the University never believed that Salvato was a good faith purchaser because she took possession of the violin, which contained a label bearing Stradivari's name, with full knowledge of the strange circumstances under which the violin came into her family's possession, yet she took no steps to report the whereabouts of the violin to the authorities, nor did she try to locate the true owner of the violin.

Note 2. See Uniform Commercial Code section 2-312, applicable in most states.

Note 3. Until 1983, California Code of Civil Procedure section 338(3), the statute providing a three-year statute of limitations for "actions for the specific recovery of personal property," did not specify when such a cause of action accrued. In 1982 the California Legislature amended section 338(3) and added a discovery accrual rule for actions involving the theft of "any art or artifact." In such cases, the cause of action "is not deemed to have accrued until the discovery of the whereabouts of the article by the aggrieved party, his or her agent, or the law enforcement agency which originally investigated the theft." Stats. 1982, ch. 340, § 1. The Legislature amended this statute twice more, once in 1988, when it redesignated section 338(3) as

338(c), and again in 1989, when it substituted the phrase "article of historical, interpretive, scientific, or artistic significance," for the phrase "art or artifact," Stats. 1988, ch. 1186, § 1; Stats. 1989, ch. 467, § 1. The 1983 amendment to section 338(3) expressly requires "discovery" as the triggering event, but is silent with respect to the language often denoting application of the discovery rule, e.g., "discovers, or through the use of reasonable diligence should have discovered." See, e.g., Cal. Code Civ. Proc. § 340.5. The 1983 amendment was also silent on the issue of its retroactivity.

Note 4. The trial courts in both *Naftzger v. The American Numismatic Society* and *The Society of California Pioneers v. Baker* (see *IFARreports*, November 1995), held that claims to recover antiques stolen before the 1983 amendment to the statute of limitations were time-barred *before* the theft victim had discovered the whereabouts of its property, or the identity of the property's possessor. An appellate ruling in *The Society of California Pioneers* case is expected this spring.

Note 5. See *Reynolds v. Bagwell*, 198 P.2d 215 (Okla Sup. Ct. 948) in which the court refused to permit delayed accrual of a claim to recover a stolen violin without "affirmative acts" of concealment by the violin's possessor. The court in *Reynolds* took the surprising position that a good faith purchaser's "'mere failure'" to give information is "'not enough'" and "'[s]ilence with or without knowledge is not concealment.'" *Id., quoting United States v. One Stradivarius Kieserwetter Violin et al.*, 188 F.542, 543-44 (S.D.N.Y. 1911), *aff'd* 197 F. 157, 158-59 (2d Cir. 1912). However, *One Stradivarius*, which involved application of a federal statute of limitations regarding accrual of claims to recover a penalty or forfeiture to property under federal customs law, did not involve a delayed discovery issue, because the "famous 'Kieserwetter Strad'" violin at issue was "habitually played on by different artists at [defendant's] Sunday afternoon musical parties" and was once played at a public concert. *One Stradivarius*, 197 F. at 159. "Short of making a public exhibition of the violin or notifying the customs authorities, there was little more that could have been done to publish [its] presence...." *Id.* Because *One Stradivarius* did not pose a delayed discovery issue where intentional concealment was absent, *Reynolds* erred in relying on it to reject a delayed discovery rule.

Note 6. See, e.g., *O'Keeffe v. Snyder*, 416 A.2d 862, 872-73 (N.J. Supreme Court 1980); *DeWeerth v. Baldinger*, 836 F.2d 103 (2d Cir. 1987), *cert. denied*, 486 U.S. 1056 (1988); *Autocephalous Greek-Orthodox Church v. Goldberg & Feldman Fine Arts, Inc.*, 717 F.Supp. 1374 (S.D. Ind. 1989), *aff'd*, 917 F.2d 278 (7th Cir. 1990). See also *Erisoty v. Rizik*, 1995 WL 91406 (E.D. Pa. 1995) ("the parties agreed that the discovery rule governs the instant dispute" over title to an eighteenth-century painting by Corrado Giaquinto); compare *Solomon R. Guggenheim Foundation v. Lubell*, 569 N.E.2d 426, 430-32 (Ct. App. N.Y. 1991) (wherein the court held that New York adheres strictly to the "demand and refusal rule," which delays accrual until the owner makes a demand for return of the property and a bona fide purchaser refuses to return the property. However, the theft victim's diligence in discovering his or her claim will be relevant to the affirmative defense of laches raised by an innocent purchaser). The International Institute for the Unification of Private Law (UNIDROIT) endorses the use of the discovery rule in lawsuits to recover stolen cultural property. The UNIDROIT Convention Ch. 2, Art. 3, subdivs. (3), (4) and Art. 4, subdiv. (4).

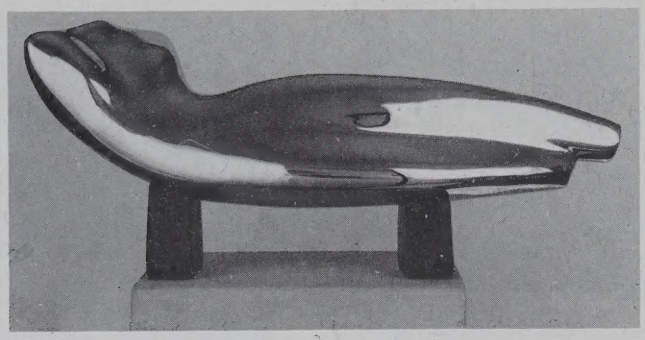
ALR Helps Recover Six Archipenkos

Torse, 1914. One of the Archipenko sculptures recovered in Florida.

Works of art are most vulnerable when they are in transit. Last October 17, six small works by the Russian artist Alexander Archipenko were being shipped by a private collector in Florida to a gallery in New York City. The driver, seeking shelter in a driving rainstorm, parked the vehicle overnight outside a Ft. Lauderdale motel. The next morning, he discovered that the three crates containing the sculptures had been stolen when someone had broken into the unattended vehicle.

Reported to the Art Loss Register at IFAR by the adjuster for the insurance company, the six sculptures were registered in the database and published in the December issue of *IFARreports* (Nos. 1148-1153). One of the works, *Etude pour femme à la toilette* from 1913 was even featured on the cover. It was that publicity which eventually led to their recovery.

On February 1, the ALR received a phone call from an auction house. One of their experts in sculpture had received a letter and photographs from a person in Hollywood, Florida, inquiring about the possible value of six small sculptures. The expert immediately recognized the six as those published in *IFARreports* as stolen. The phone call to the ALR followed at once, and the ALR's assistance and advice were sought.



Archipenko's *Torso in Space*, 1935, the second version in chromium-plated bronze, also recovered.

With the cooperation of the auction house, ALR contacted the FBI and put them in touch with the expert. The subsequent investigation by the Miami office of the FBI and the Hollywood Florida Police Department led to the recovery of all six works on February 8. At the time of the theft, the reported value of the sculptures was $650,000.

Amazingly, Tony Nowak, one of the owners of the Royal Pawn Shop in Miami, from whom the works were recovered, had bought them for a grand total of $40.00 after bargaining the seller down from an asking price of $100.

Under Florida law, pawn shops keep detailed records of the property they buy and sell. Detective Gregory George, responsible for overseeing the activities of pawnshops within his district, harbored some suspicions about the six metal sculptures and put a hold on their sale for several months to allow time for information on them to surface. However, unable to confirm his suspicions that they were stolen property, he eventually released them for sale.

Not initially recognizing the sculptures and not particularly enamoured of them, none of the three owners of the pawn shop wanted to keep them. Tim Nowak, another of the owners, told ALR that after deciding to sell the pieces, a friend of his pointed out the name "Archipenko" on the base of one of the sculptures. He and his friend consulted a reference work and identified the name as that of an important artist. It was then that he and his partners realized that the sculptures none of them wanted might be valuable.

They decided to contact the auction house. "We also," said Tim Nowak, "thought that they might belong to someone, and we wanted to do the right thing." The auction house might know something about them. After learning of their history, the Nowaks and their partner cooperated with the authorities in the recovery of the works. None of the owners are considered to have been involved in the theft. Tim Nowak added, "We really didn't like them."

Whoever the thief was, however, he did not realize anywhere near a "reasonable" profit on his ill-gotten goods. Now knowing their true value, Tim Nowak recounts with even more relish how his father Tony bargained the seller down.

One of the most frequently asked questions about art theft is why people steal art. The answer: "Money." In this case, the seller settled for the equivalent of four hits of crack cocaine. Clearly, he had no idea of its true value. Rather than "caveat emptor," the motto of art thieves should be "seller beware."

Several cases in the past few years have involved similar scenarios. Most notably, a few years ago, a suspected thief sold a Botero sculpture and another by Dubuffet for the magnificent sum of $100 when their combined value was close to $500,000.

Officials have, according to an FBI press release, identified a possible suspect in the theft. The *Orlando Sentinel* identified the suspect as Cannon Jackson Russell who is currently in prison on unrelated charges. The investigation is continuing.

Anna J. Kisluk

Purloined Picassos and Pissarro—Not

At first, it seemed to be one of the largest and most important art thefts in recent New York history. On Thursday, February 1, Avelino Gonzalez, 29, arrived at Kennedy International Airport on a flight from Mexico carrying three works of art in a portfolio. At U.S. Customs, he declared they were a Camille Pissarro painting of a street scene in Paris, a painting by Picasso entitled "Woman Seated with a Skull" and dating from 1927, and a Picasso drawing dated and dedicated to Jacqueline, one of his mistresses. Their value, he told Customs officials, was $15 million.

For property of substantial declared value, Customs regulations require additional forms, and a broker familiar with the procedures normally shepherds the property through the import maze. Informed of this, Mr. Gonzalez placed the works in the custody of an Aeromexico agent and, according to press reports, was given a "post entry" receipt for the three works. Aeromexico in turn arranged for Dynair, the baggage handling company it uses, to place the works of art in storage until Mr. Gonzalez could return with the proper paperwork and retrieve them.

Then disaster struck. When Mr. Gonzalez returned the next day, he was told the works of art could not be located. They were gone. Stolen. Port Authority officials and the F.B.I. immediately launched an investigation. Technically, as a theft from an interstate shipment, the crime was a violation of federal law, so the F.B.I. was the appropriate law enforcement agency.

A Manhattan attorney, Kevin M. Dyer, representing Mr. Gonzalez, later told the press that his client had brought the three works to the U.S. to be appraised by experts at Christie's and Sotheby's. His client, Mr. Dyer told the press, was "very upset." According to reports, Mr. Gonzalez, a construction businessman from Mexico, co-owned the three works with two other people.

Long Island *Newsday* reported that the initial investigation concentrated on airport employees, since thefts from baggage in transit have occurred at JFK before. The most notable recent incident involved the theft (and recovery) of a diamond necklace from a carry-on bag belonging to the Duchess of York.

A few days later, on February 7, the investigation paid off--in a sense. Officials announced the recovery of the two paintings and the drawing and the arrest of two men, a cargo handler for Dynair, Jason George, 27, and his brother-in-law, Joseph Casella, 19. According to the criminal complaint filed in court, Mr. George took the portfolio to his brother-in-law, and they then hid the purported masterpieces in the basement of a building in Queens where Mr. Casella's girlfriend lives. It was there that law enforcement officials found them.

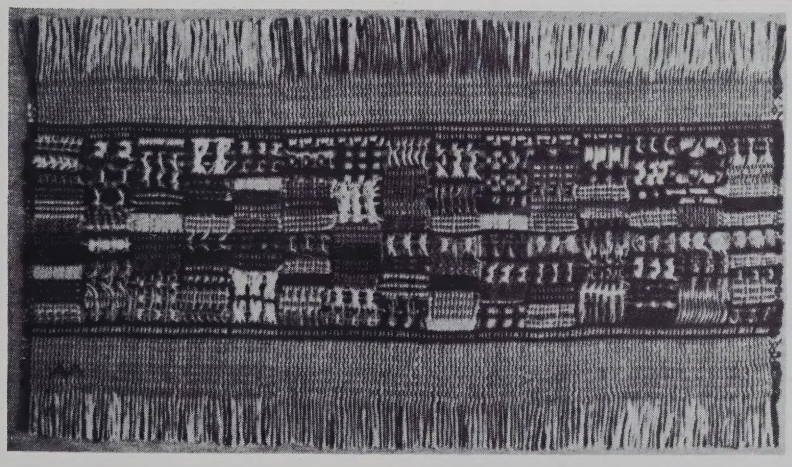
That was the good news.

The bad news—art experts called in by the authorities to examine the recovered works declared them to be fakes, and inept ones at that. The F.B.I. spokesman, Joseph Valiquette, was quoted by *Newsday* as saying, "As soon as our agents took them out of the portfolio, both groups immediately said, "These are worthless. You've got to be kidding."

Worthless though the works may be, both men have been charged with theft from an interstate shipment. Casella's girlfriend has not been charged.

What might have been a major art theft with all the ingredients of a mystery novel can now be filed with other cases of mistaken identity.

A.J.K.



~ *Information Sought* ~

The Albers Foundation seeks information regarding the whereabouts of weavings by ANNI ALBERS (1899-1994), especially works with the following titles:

FIELDS, 1952

BLUE AND RED LAYERS, 1954
29 1/2 x 22 1/2 in.

INSCRIBED, 1962

EPITAPH, 1968 (?)
59 x 23 in.

JOTTING, 1959 (shown)
21 x 34 1/2 in.

Please reply to: **The Albers Foundation**
tel. (203) 795-5525; fax: (203) 799-8369.

Recoveries

Fine Arts

Paintings, Pastels, Mixed Media Works, Watercolors

Vieira da Silva, Maria Elena (Brazilian, b. 1908). *Library*, 1949. Oil on cloth. 33.0 x 55.0 cm. *N90.432.4. São Paulo, Brazil. Nov. 2, '89. (*IFARreports*, Aug.-Sept. '90, no. 1150)

Stolen in Sotchi, Russia on May 13, 1992:

Konchalovski, Petr Petrovich (Russian, 1876-1956). *Floral Still Life*, 1935. Oil on canvas. 91.0 x 118.0. *N93.94.2. (*IFARreports*, Apr. '93, no. 265)

Svertschkoff, Nicholas G. (Russian, 1817-1898). *Man Driving a Carriage*, 1853. Oil on canvas. 51.0 x 81.0. *N93.94.5. (*IFARreports*, Apr. '93, no. 259)

Vasnechov, Apolinarij Michailovitch (Russian, d. 1933). *Fields*, 1892. Oil on canvas. 56.0 x 87.0. *N93.94.10. (*IFARreports*, Apr. '93, no. 262)

Orlowski, Vladimir Donatovich (Russian, 1842-1914). *Sunset by the Sea*. Oil on canvas. 32.7 x 53.0. *N93.94.11. (*IFARreports*, Apr. '93, no. 255)

Sculpture

Six works by Alexander Archipenko (Russian, 1887-1964) stolen in Ft. Lauderdale, Florida on October 17, 1995:

Conversation, 1936. Terracotta. 26.0 x 28.0 cm. *N95.421.6. (*IFARreports*, Dec. '95, no. 1148)

Etude pour femme à la toilette, 1913. Bronze. Ht. 38.0 cm. *N95.421.1. (*IFARreports*, Dec. '95, no. 1149)

Statuette, 1916. Bronze. Ht. 32.0 cm. *N95.421.4. (*IFARreports*, Dec. '95, no. 1150)

Stolen Art Alert

In cooperation with the Art Loss Register, the art community, insurance companies, police, the FBI, and Interpol

Torse, 1914. Polished nickel silver alloy. Ht. 38.0 cm. *N95.421.2. (*IFARreports*, Dec. '95, no. 1151)

Torso in Space, 1935. Chromium-plated bronze. 17.5 x 57.0 cm. *N95.421.3. (*IFARreports*, Dec. '95, no. 1152)

Vase, 1918. Bronze. Ht. 47.0 cm. *N95,421.5. (*IFARreports*, Dec. '95, no. 1153)

Antiquities

Stolen in Melfi, Potenza, Italy, on January 20, 1994.

Skyphos amphora. Greek. Earthenware. Ht. 33.5. *N95.284.8. (*IFARreports*, Aug. '95, no. 878)

Red-figured amphora, 360-330 B.C. Greek. Earthenware. Ht. 64.5. *N95.284.1. (*IFARreports*, Aug. '95, no. 873)

Red-figured amphora, 360-330 B.C. Greek. Earthenware. Ht. 64.5. *N95.284.2. (*IFARreports*, Aug. '95, no. 874)

Krater, 360-330 B.C. Greek. Earthenware. Ht. 34.5. *N95.284.3. (*IFARreports*, Aug. '95, no. 871)

Skyphos amphora. Greek. Earthenware. Ht. 24.5. *N95.284.4. (*IFARreports*, Aug. '95, no. 877)

Lekythos, 350-325 B.C. Greek. Earthenware. Ht. 36.5. *N95.284.5. (*IFARreports*, Aug. '95, no. 872)

Red-figured krater, 350-325 B.C. Greek. Earthenware. Ht. 54.0. *N95.284.6. (*IFARreports*, Aug. '95, no. 875)

Red-figured amphora. Greek. Earthenware. Ht. 82.0. *N95.284.7. (*IFARreports*, Aug. '95, no. 876)

Stolen Objects

The stolen works in this publication are grouped under seven categories - Fine Arts, Decorative Arts, Antiquities, Ethnographic Objects, Asian Art, Islamic Art, and Miscellaneous Objects. Within the categories, they are further subdivided by object, type and school.

*Each listing includes a brief description of the work, the IFAR catalogue number, and the date and place of theft. An asterisk * before the catalogue number means that a photograph of the stolen work is available, though not necessarily included in this issue. Anyone wishing further information should contact IFAR.*

All items are registered in the database of the Art Loss Register, with its New York office at IFAR and a London office at 13 Grosvenor Place, SW1X 7HH.

Please note that the information contained in each catalogue entry is supplied by the owner and that IFAR does not accept responsibility for the accuracy of information.

71

72

Fine Arts

Paintings, Pastels, Mixed Media Works, Watercolors

American, 19th Century

71 STREETOR, William Day. *Portrait of a Reclining Woman*, 1895. Oil on canvas. 101.6 x 129.5 cm. Possibly signed and dated l/r: W. Day Streetor/1895. Portrait of a woman in a long, pinkish-gray dress reclining on pink and gray pillows on a couch. *N96.8.1. Staten Island, NY. Oct. 2, '95. *Reward.*

72 STREETOR, William Day. *Portrait of a Woman*, 1896. Oil on canvas. 162.6 x 111.8 cm. May be signed and dated l/r: W. Day Streetor/1896 (or 1897). *N96.8.2. Staten Island, NY. Oct. 2, '95. *Reward.*

American, 20th Century

73 DOOLIN, James Lawrence (b. 1932). *Stairway*, 1991. Oil on canvas. 228.6 x 182.9 cm. Inscribed on verso: "James Doolin LA 1991." On heavy-duty double linen canvas. *N96.7. Malibu, CA. Jan 2, '96.

73

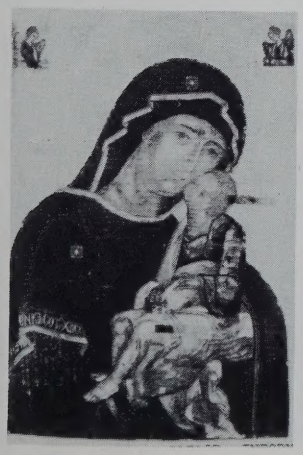
4

Canadian, 20th Century

74 MCGINNIS, Robert F. (b. 1942). *The Effects of Night Light*. Oil on canvas. 91.0 x 91.0 cm. Stretcher is marked 1-27-10-87. *N95.470.1. Vancouver, British Columbia, Canada. Jun. 16, '94. Interpol Number: E-89/4-1995

Cretan/Venetian, 15th Century

75 *Virgin and Child*. Tempera. 67.5 x 47.0 cm. Icon of the Virgin and Child from the Italy/Crete School. Inv. No. 345J69 *N95.465.1. Minsk, Republic of Belarus. Interpol Number: E-88/4-1995



75

76

Dutch, 17th Century

76 HANNEMAN, Adriaan, Attr. to (1601-71). *Portrait of Princess Henrietta Maria of France*. Oil on canvas. 100.0 x 80.0 cm. *N95.463.6. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

77 NETSCHER, Caspar (1635-84). *Children at a Window Sill*. Oil on canvas. 60.0 x 50.0 cm. Four children with a small dog stand at a window; the sill is draped with an oriental carpet. The child on the right embraces a cat. *N95.463.5. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

77

78

78 WILLAERTS, Abraham, Attr. to (1603-69). On poplar wood. 24.8 x 38.2 cm. Unsigned. Depicting a bay with ships being caulked, one of them flying the Dutch flag. In the lower corner are three figures observing the scene. *N96.33.1. Mar. 24, '95. Interpol Number: E-94/5-1995

79 WOUWERMAN, Philips (1619-68). *Landscape with Horseback Riders*. Oil on canvas. 40.0 x 35.0 cm. *N95.463.4. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

79

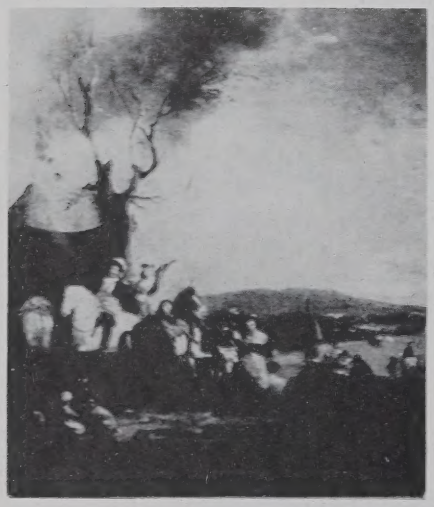
80 WOUWERMAN, Philips (1619-68). *Military Camp*. Oil on canvas. 40.0 x 35.0 cm. Military camp with horsemen and other figures, the sea is on the right. *N95.463.3. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

European, 17th Century

81 *Adoration of the Shepherds*. Oil on panel. 44.0 x 32.0 cm. *N95.463.1. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

Flemish, 17th Century

82 ADRIAENSSEN, Alexander (1587-1661). *Still Life with Dead Birds and Flowers*. Oil on panel. 45.0 x 29.0 cm. *N95.463.7. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995



80

81

French, 17th Century

83 *The Mocking of Christ*. Oil on canvas. *N96.32.1. Istres, France. Mar. 27, '95. Interpol Number: E-97/6-1995

French, 18th Century

84 LUSSIGNY, L. *Untitled*. Gouache?. 40.0 x 40.0 cm. Signed. Possibly inscribed: "Pour Mme C." N96.28.3. Paris, France. Dec. 1, '94. Interpol Number: E-104/6-1995

French, 19th Century

85 BONNARD, Pierre (1867-1947). *Landscape*. Oil on canvas. 29.0 x 36.0 cm. Signed l/l "Bonnard". Inventory number D3834 on back of framework. Work stolen with gold colored frame. Main colors are green and violet. L95.1009.1. Montpellier, France. Jul. 11, '95. Interpol Number: C/OV-2C/7418/95

83

85

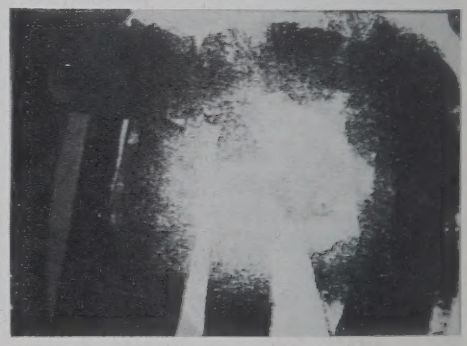
French, 20th Century

86 HARTUNG, Hans (1904-89). *T1975-R2 No. de naissance: 301*, 1975. Oil on canvas. 73.0 x 120.0 cm. Dated: 21.04.75. Abstract in black and brick red on a yellow background. *N96.28.1. Paris, France. Dec. 1, '94. Interpol Number: E-104/6-1995

87 KIJNO, Pierre Ladislas (b. 1921). *Untitled*. Oil on canvas. 20.0 x 20.0 cm. Inscribed on verso: "Pour Claude." Possibly signed on verso. N96.28.2. Paris, France. Dec. 1, '94. Interpol Number: E-104/6-1995

German, 15th Century

88 *Flagellation of Christ*. Oil on panel. 90.0 x 90.0 cm. The words "Ecce Homo" run across Jesus' right ankle and the words "Mata Deo" appear on the top of the pillar. *N95.463.2. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

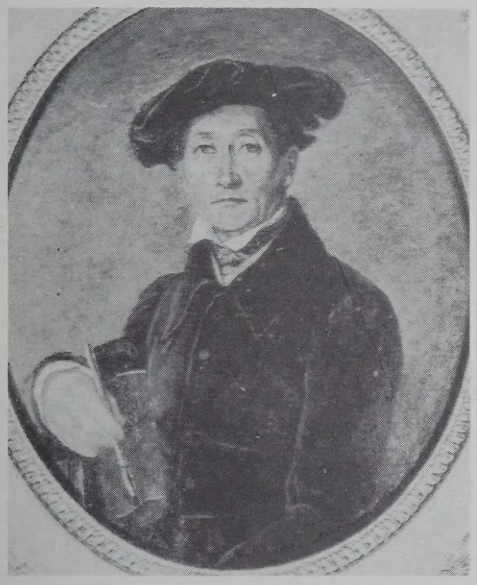


86

88

German, 19th Century

89 GUTZWEILER, Charles. *Portrait of August Kestner*, 1830. Oil painting on copper. 17.5 x 21.0 cm. Behind the oval frame there is a piece of paper with the name "August Kestner" in old script and the inventory No. VM 28733. *N96.22.1. Hanover, Germany. Interpol Number: E-99/6-1995



89

91

Italian, 19th Century

90 FORTI, Ettore. *The Rug Seller*, 1840. Oil on canvas. 76.2 x 121.9 cm. Marked on verso: Property of Richard Gatti. The name Gatti may be visible only under ultraviolet light. *N96.2.1. Los Angeles, CA. Jun. 17, '94.

91 ZHEFFERELLI. *Hussar with Two Ladies*, 1850. Oil on canvas. 45.7 x 30.4 cm. Marked on verso: "Property of Richard Gatti." The name "Gatti" may be visible only under ultraviolet light. *N96.2.2. Los Angeles, CA. Jun. 17, '94.

Russian, 19th Century

92 KANDINSKY, Wassily (1866-1944). *Landscape*. Oil on board. 17.8 x 27.9 cm. A landscape with fields in the foreground, a town or village with a tower in the middle ground and green hills in the background. With a cloudy white sky. Heavy impasto. Board visible at upper margins. *N96.3.1. Paris, France. Jun. 1, '95.

90

92

Prints, Drawings

American, 20th Century

93 JOHNS, Jasper (b. 1930). Untitled. Graphite on paper. 27.9 x 20.3 cm. Signed l/r: J.J. Depicting two large number fives, one to the left and the other to the right. N96.10.1. New York, NY.

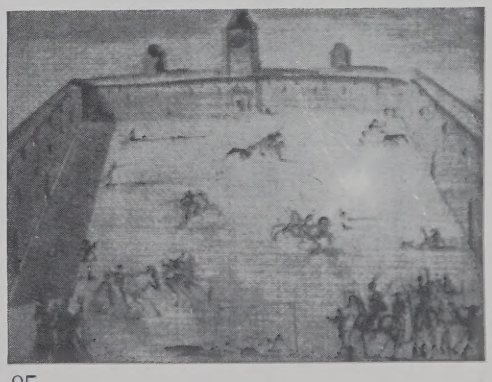
French, 18th Century

94 MICHEL, Claude, (Clodion) Attr. to (1738-1814). A group of cherubs. Pencil and chalk on paper. 20.5 x 26.0 cm. *N96.31.1. Nancy, France. Mar. 17, '95. Interpol Number: E-100/6-1995

Spanish, 20th Century

95 DALI, Salvador, Attr. to (1904-89). *Tienta en España*, 1900. Lithograph on paper. *N96.24.1. Feb. 25, '95. Interpol Number: E-92/5-1995

94



95

96 DALI, Salvador, Attr. to (1904-89). *Unknown.* Lithograph on paper. 50.0 x 65.0 cm. Three elephants in a desert landscape with mountains in the background. The elephants have extremely long long, spindly legs, and are carrying tall, pointed howdahs on their backs. Signed in red and black. Dated. *N96.24.2. Feb. 25, '95. Interpol Number: E-92/5-1995

97 DALI, Salvador, Attr. to (1904-89). Lithograph on paper. Landscape with the sea in the foreground, behind which is a long building with a monumental doorway on the left and a row of arcades on the right. The building is surmounted by a long boat. In the background are rocks and trees. The goddess Leucothea dominates the center of the picture. She has long blond hair and is naked from the waist up. *N96.24.3. Feb. 25, '95. Interpol Number: E-92/5-1995

98 PICASSO, Pablo (1881-1973). *No. 49 from the Vollard Suite,* 1933. Etching on paper. 34.0 x 44.5 cm. Dated "26th Mars 1933." Sheet No. 49 from the Suite Vollard produced on hand-made paper with the watermark "Vollard." Signed lower right. *N96.21.1. Neftebach, Switzerland. Oct. 21, '94. Interpol Number: E-93/5-1995

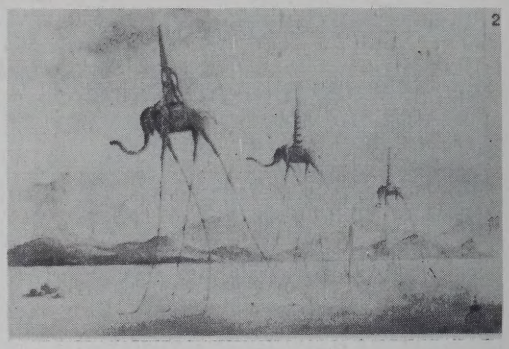
Swiss, 20th Century

99 GIACOMETTI, Alberto (1901-66). *Vase of Flowers.* Etching. 40.0 x 50.0 cm. On beige paper. In two colors with black. *N96.21.2. Neftebach, Switzerland. Oct. 21, '94. Interpol Number: E-93/5-1995

Sculpture

French, 19th Century

100 GERÔME, Jean Léon (1824-1904). *La Danseuse à la Pomme (Ancient Dancer).* Bronze. Ht. 26.4 cm. Inscribed "JL Gerome" with the foundry seal "Siot-Decauville Fondeur Paris." Dark greenish patina. *N96.15.1. Washington, D.C. Nov. 8, '95.



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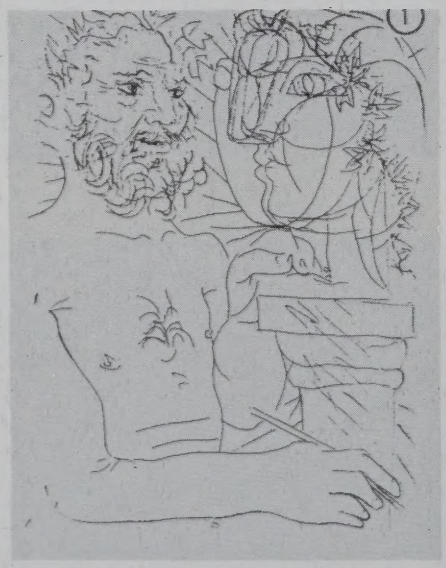

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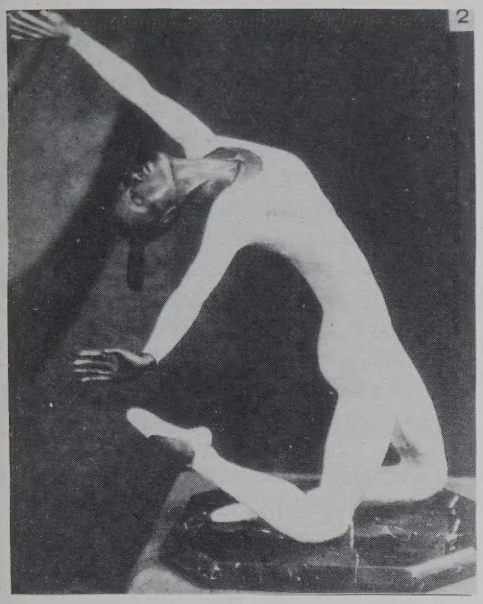

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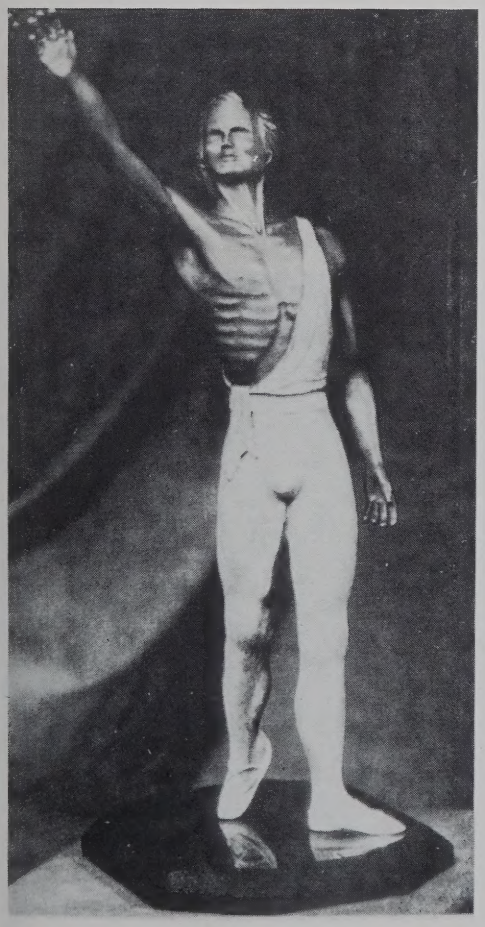


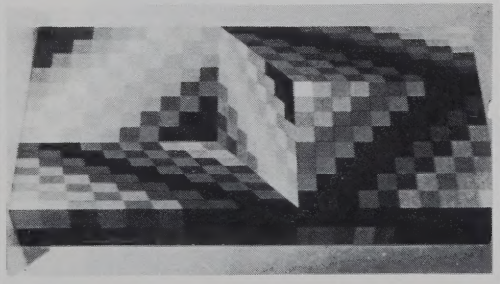
102

Italian, 20th Century

101 CALLEGARINI, Umberto (b. 1925). *Ecstasy No. 25*, 1993. Bronze. Ht. 51.0 cm. Clothing is enameled or cold painted. *N95.471.2. Vancouver, British Columbia, Canada. Feb. 6, '95. Interpol Number: E-91/4-1995

103

104



105

102 CALLEGARINI, Umberto (b. 1925). *Farewell Nureyev No. 25*, 1993. Bronze. Ht. 51.0 cm. Leotard is enameled or cold painted. *N95.471.1. Vancouver, British Columbia, Canada. Feb. 6, '95. Interpol Number: E-91/4-1995

Polish, 15th Century

103 *Virgin and Child*, 1470. Polychromed wood. Ht. 120.0 cm. Hollow. Both Virgin and Child wear bulb-shaped crowns (not shown). *N96.26.1. Oldrzychowice, Poland. Jan. 5, '95. Interpol Number: E-103/6-1995

Russian, 19th Century

104 VRUBEL, Mikhail-Alexandrovitch (1856-1910). *Head of a Chechen Man*. Clay. 18.0 x 10.0 x 11.0 cm. Multicolored. Man holds both hands up to his face to form a frame around the face.t*N95.466.1. Minsk, Republic of Belarus. Jan. 17, '91. Interpol Number: E-86/4-1995

Russian, 20th Century

105 VASARELY, Victor (b. 1908). *Axo 99*. Wood and paint. 71.0 x 38.0 x 10.0 cm. A straight, vertical parallelepiped on a rectangular base, painted with a design of small squares of various colors which shade on into each other to give an impression of relief. *N96.4.1. Toronto, Canada. Jul. 2, '94. Interpol Number: E-90/4-1995

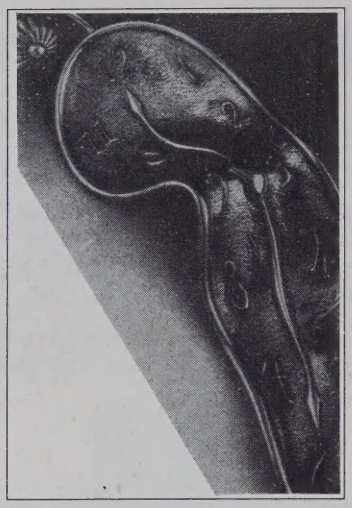
Spanish, 20th Century

106 DALI, Salvador (1904-89). *Elephant Obelisk.* Bronze. Ht. 85.0 cm. Black base is marked "EA"; base dimensions: 51.0 x 33.5 cm. *N95.463.9. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

107 DALI, Salvador (1904-89). *Soft Watch.* Bronze. 50.0 x 18.5 cm. Elongated "soft watch" with winder; the edge, Arabic numbers and hands are in relief; black base. Signed. *N95.463.10. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

108 DALI, Salvador (1904-89). *Venus.* Bronze. Ht. 83.0 cm. Venus standing barefoot on short stilts, her head in the form of a rose. The black base is marked "EA"; base dimensions: 60 x 42 cm. *N95.463.8. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

106



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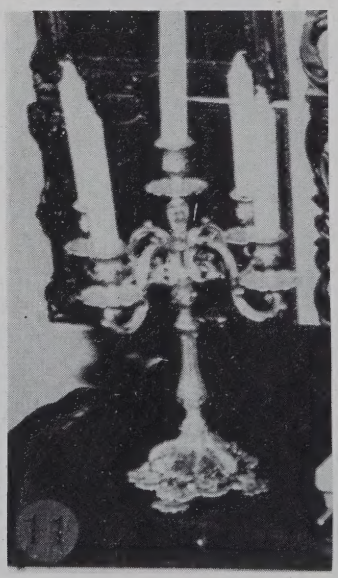
108



109

Candlesticks, Candelabra, Lamps

Century Unknown

109 Silver candlestick. Silver. Ht. 30.0 cm. Candlestick with five branches (one in center) and round stem; intricately worked baroque style. *N95.463.11. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995

Ceramics, Pottery, Porcelain

French, 11th Century

110 Roof tile. Terracotta. 11.3 x 10.9 x 3.0 cm. Antefix (decorative tile) depicting a human face with a column with capital on the left side. *N95.464.1. Saint Bertrand de Comminges, France. Aug. 29, '94. Interpol Number: E-218/11-1994

110

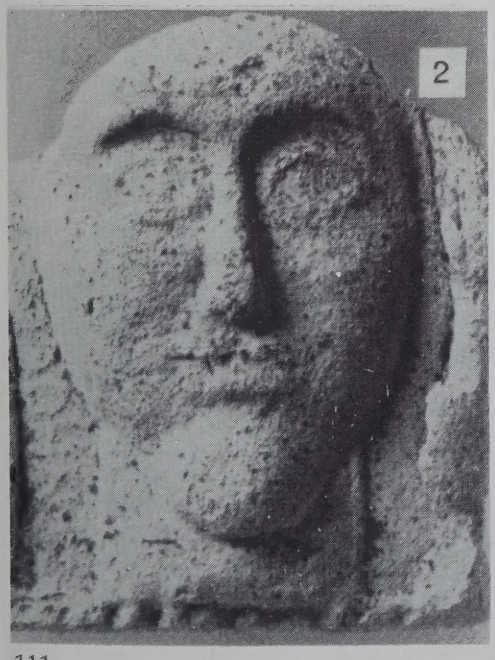
111 Roof tile. Terracotta. 10.4 x 10.3 cm. Very worn antefix (decorative tile) depicting a human face, the top missing. Depth 3-6 cm. *N95.464.2. Saint Bertrand de Comminges, France. Aug. 29, '94. Interpol Number: E-218/11-1994

112 Roof tile. Terracotta. 14.5 x 11.0 x 4.2 cm. Antefix (decorative tile) depicting a human face with large heavily rimmed eyes and what may be a beard or protruding chin. Lower right corner is missing. *N95.464.3. Saint Bertrand de Comminges, France. Aug. 29, '94. Interpol Number: E-218/11-1994

Glass

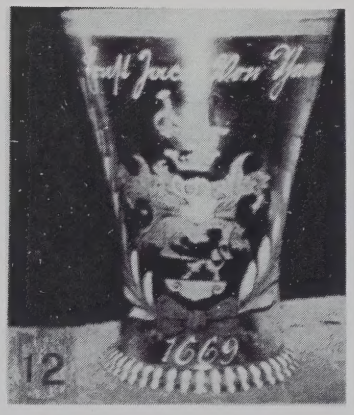
Czech, 17th Century

113 Set of six goblets, 1669. Glass, gilt and polychrome enamel. Ht. 10.0 cm. With gold edging and polychrome enamel coat of arms of Count von Thamm, marked 1669. *N95.463.12. Birsfelden, Switzerland. Jul. 6, '93. Interpol Number: E-59/2-1995



111

112



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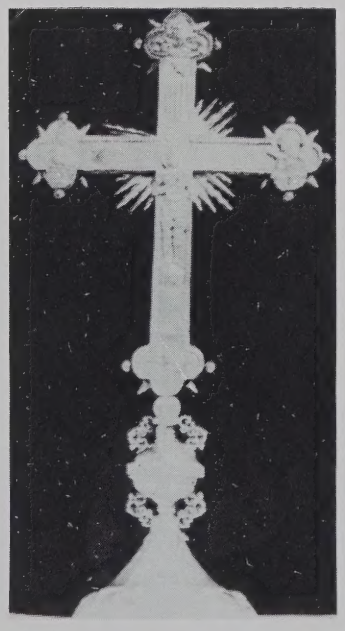


114

Liturgical Objects

17th Century

114 Reliquary cross. Silver gilt. Approx. ht. 90.0 cm. Ends of each arm are in the form of trefoils with engraved figures of saints in the center of each medallion. Christ stands on a rock or out-cropping, his head, rather than his chest and arms, is at the center. The cross rests on a decorated ball on a cone- shaped base. *N95.467.1. Disna, Republic of Belarus. Jan. 1, '80. Interpol Number: E-87/4-1995

German, 12th Century

115 *Corpus Christi*. Gilded copper figure. Ht. 18.3 cm. Christ figure. *N96.23.1. Bad Mergentheim, Germany. Sep. 12, '94. Interpol Number: E-96/5-1995

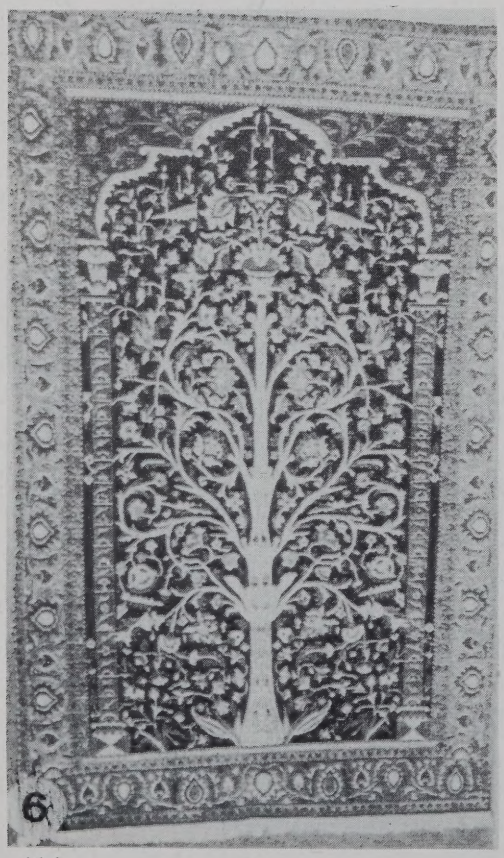
115

Rugs, Carpets

Persian, 19th Century

116 Feraghan carpet. Wool? 126.0 x 207.0 cm. Dark blue, decorated with a stylized "tree of life" central design; the russet-colored border with a design of palmettes. The number 920 is marked on the back (visible under ultraviolet light). *N95.462.6. Langnau-am-Albis, Switzerland. Oct. 19, '94. Interpol Number: E-57/2-1995

117 Heriz carpet. Silk. 125.0 x 160.0 cm. Beige silk with a central medallion, russet colored border. Marked with the number 935 on the back (visible under ultraviolet light). *N95.462.4. Langnau-am-Albis, Switzerland. Oct. 19, '94. Interpol Number: E-57/2-1995



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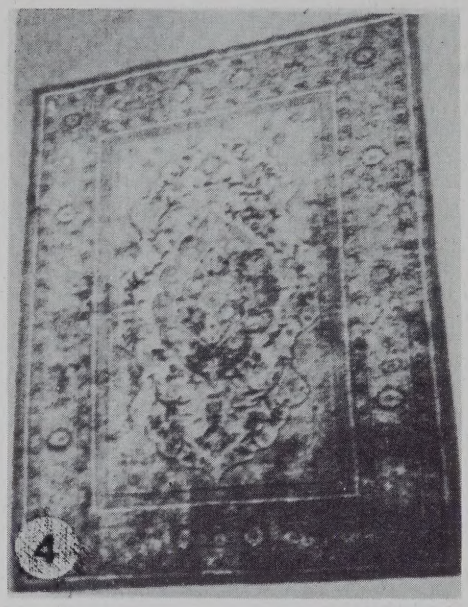


117

118

118 Kazak carpet. Wool. 117.0 x 148.0 cm. Caucasian. Blue wool with a central medallion, and a beige border. Signed. The number 922 is marked on the back (visible under ultraviolet light). *N95.462.2. Langnau-am-Albis, Switzerland. Oct. 19, '94. Interpol Number: E-57/2-1995

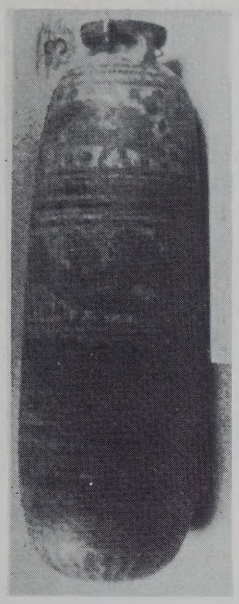
119 Kerman carpet. Wool and cotton. 262.0 x 54.0 cm. Blue velvet pile and cotton warp, with a central medallion and beige border. Signed. Marked with the number 924 on the back (visible under ultraviolet light). *N95.462.5. Langnau-am-Albis, Switzerland. Oct. 19, '94. Interpol Number: E-57/2-1995

120 Keshan carpet. Wool and cotton. 140.0 x 207.0 cm. With a wool velvet pile and cotton warp, mainly red, decorated with birds, dogs, and other animals. The number 948 is marked on the back (visible under ultraviolet light). *N95.462.1. Langnau-am-Albis, Switzerland. Oct. 19, '94. Interpol Number: E-57/2-1995

121 Kuba carpet. Wool. 150.0 x 329.0 cm. Caucasian. Of dark blue wool with a beige and blue border. The number 923 is marked on the back (visible under ultraviolet light). Having a central medallion surrounded by various geometric patterns, with a triple border. *N95.462.3. Langnau-am-Albis, Switzerland. Oct. 19, '94. Interpol Number: E-57/2-1995

121

Antiquities



122

Ceramics, Pottery, Porcelain

Etruscan, 6th Century, BC

122 Bottle. Alabaster. Diam. 21.5. Ht. 20.5 cm. *N96.25.3. Piacenza, Italy. Oct. 8, '94. Interpol Number: E-109/6-1995

123 Dish. Terracotta. Diam. 10.0. Ht. 4.5 cm. *N96.25.8. Piacenza, Italy. Oct. 8, '94. Interpol Number: E-109/6-1995

123

124

124 Kylix. Terracotta. Diam. 11.5. Ht. 6.5 cm. With a reddish color. Round, with a flaring rim and two attached handles, on a short round foot. *N96.25.1. Piacenza, Italy. Oct. 8, '94. Interpol Number: E-109/6-1995

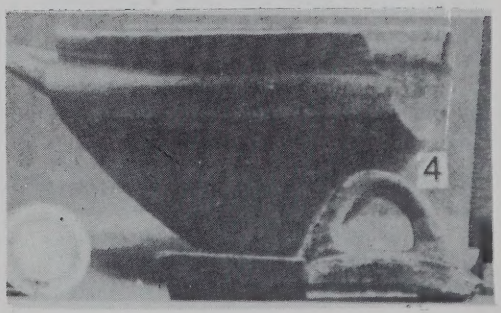
125 Kylix. Terracotta. Diam. 12.5. Ht. 6.5 cm. *N96.25.5. Piacenza, Italy. Oct. 8, '94. Interpol Number: E-109/6-1995

125

126

126 Kylix. Terracotta. Diam. 13.0. Ht. 8.0 cm. *N96.25.6. Piacenza, Italy. Oct. 8, '94. Interpol Number: E-109/6-1995

127 Kylix. Terracotta. Diam. 14.5 cm. Ht. 7.5 cm. *N96.25.4. Piacenza, Italy. Oct. 8, '94. Interpol Number: E-109/6-1995

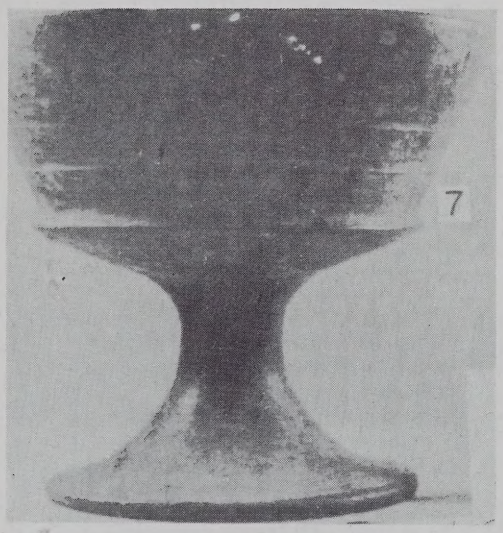


127

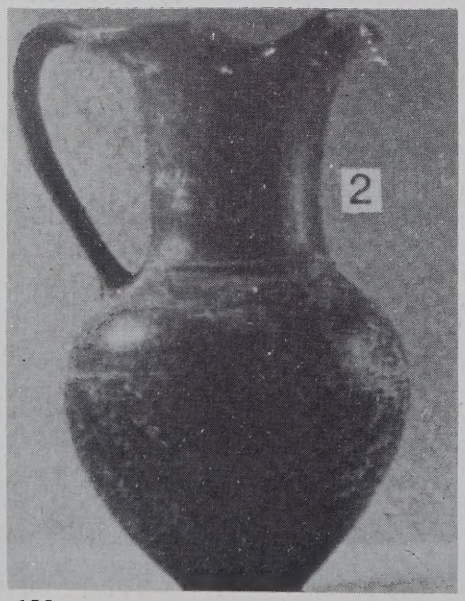
Ethnographic Objects Miscellaneous

128 Mortar. Terracotta. Diam. 14.5. Ht. 12.5 cm. *N96.25.7. Piacenza, Italy. Oct. 8, '94. Interpol Number: E-109/6-1995

129 Oinochoe. Terracotta. Diam. 8.0. Ht. 15.0 cm. *N96.25.2. Piacenza, Italy. Oct. 8, '94. Interpol Number: E-109/6-1995



128



129

Ivories

African, 19th Century

130 Horn, 1800. Ivory. 30.0 x 4.0 cm. From Bamilike region of Cameroon. Horn has uniform brown patina, upper part has double-sided carving of a figure--one side shows his belly sticking out with his legs apart, other side shows his body flat and knees are touching, good condition with few chips at base. *N96.30.1. Paris, France. Apr. 19, '95. Interpol Number: E-98/6-1995

130a

130b

Coins

French, 14th Century

131 Gold Florin of William I, Count of Namur, 1337. Gold. Stamped with large fleur-de-lys covering surface, reverse figure standing, holding a baton with Maltese cross in his left hand. Illegible inscriptions on both sides. *N96.29.1. Chartres, France. Jan. 1, '77. Interpol Number: E-81/4-1995

131

131 *(verso)*

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